

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Rejections under 35 USC § 102

- 1) The rejection of claims 1, 3-4 and 8-9 under 35 USC § 102(b) as being anticipated by Souri et al. is respectfully traversed.

In this response, claims 1 and 8, have been amended to call for a diode (clearly shown and disclosed in connection with Figs. 1 and 2). In claim 1, the diode is recited as being between the input and output of the surge suppressing circuit. Inasmuch as none of the circuits which are disclosed in Souri et al. include a diode, it is submitted that the recitation of this elements in both of the independent claims 1 and 8, presents a combination of elements which is not disclosed in this single reference to Souri et al.

Claim 8, as amended in this response, recites connecting a diode with an input of a surge suppression circuit, and interposing a complementary Darlington pair between the diode and output of the surge suppressing circuit. This combination of steps cannot be distilled from Souri et al. and thus a *prima facie* case of anticipation is not established.

Further clarifying limitations reside in that claim 2 calls for the Zener diode to be connected between the base of a second transistor of the complementary Darlington pair and ground. The Souri et al. reference cannot meet the requirements of an input and output and ground, it is submitted that claim 2 is therefore both novel and non-obvious over the disclosures of Souri et al.

- 2) The rejection of claims 1, 3-4 and 8-9 under 35 USC § 102(b) as being anticipated by Valentine is respectfully traversed.

Valentine discloses a circuit with an input and an output, but no ground. There are no diodes disclosed, and the Zener diodes 43 and 44 and the Schottky diode 47,

which are shown, are not connected with the input of the circuit arrangement shown in Fig. 4 of Valentine, in a manner that would allow either of independent claims 1 and 8 to be "broadly" interpreted and read on the disclosed arrangement.

For at least this reason, a *prima facie* case of anticipation cannot be established against the claims as amended.

Rejections Under 35 USC § 103

The rejection of claims 2, 5-7 and 10 under 35 USC § 103(a) as being unpatenable over Valentine, is respectfully traversed.

First, this rejection is rendered untenable with the amendments to the claims which overcome the anticipation rejection under 35 USC § 102. Second, inasmuch as the circuit arrangements which are disclosed in Valentine do not have a ground connection, the claimed arrangement cannot be distilled from this reference. Even if the (-V) is taken as GRD as suggested in this rejection, there are still only two terminals and the circuit which is being taken as a surge suppression circuit would be located entirely between the +V terminal and ground. This presumption of the (-V) being GRD therefore eliminates any circuit being connected with the disclosed circuit in a manner which would enable it to be protected from the detrimental effects of power spikes/surges.

In any event, there is no possibility that the three terminals – input, output and ground - which are required in claims 2 and 10, would be envisaged by the hypothetical person of ordinary skill in the art, given the disclosure of the Valentine reference.

A *prima facie* case of obviousness for the subject matter of claims 2, 5-7 and 10 therefore cannot be established on the basis of the disclosure of Valentine.

New Claims

New claims 11-15 are added in this response. These dependent method claims are such as call for steps which are neither disclosed nor suggested by the art applied. These claims find full support in the originally filed specification, drawings and claims.

Conclusion

It is respectfully submitted that the claims as they stand before the PTO are allowable for at least the reasons advanced above. Favorable reconsideration and allowance of this application are courteously solicited.

Date 09/02/2005

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